

# **LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY**

1170 West Third Street, Unit 150, San Bernardino, CA 92415-0490  
(909) 388-0480 • Fax (909) 388-0481  
E-MAIL: [lafco@lafco.sbcounty.gov](mailto:lafco@lafco.sbcounty.gov)  
[www.sbclafco.org](http://www.sbclafco.org)

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**PROPOSAL NO.: LAFCO 3225**

**HEARING DATE: June 20, 2018**

## **RESOLUTION NO. 3269**

**A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY MAKING DETERMINATIONS ON LAFCO 3225 AND APPROVING THE SPHERE OF INFLUENCE AMENDMENTS FOR THE CITY OF LOMA LINDA (REDUCTION) AND THE CITY OF COLTON (EXPANSION), AS MODIFIED (The sphere of influence amendment area, as modified, encompasses a total of approximately 372 acres, which includes the three parcels proposed by the applicant, APNs 0284-181-27, 0284-221-16 and 0284-221-18, encompassing approximately 209 acres and the modified area proposed by LAFCO staff generally located easterly of Reche Canyon Road between the proposal area and the Riverside/San Bernardino County line encompassing approximately 163 acres).**

**On motion of Commissioner Lovingood, duly seconded by Commissioner Cox, and carried, the Local Agency Formation Commission adopts the following resolution:**

**WHEREAS**, an application for the proposed sphere of influence amendment (reduction/expansion) in the County of San Bernardino was filed with the Executive Officer of this Local Agency Formation Commission (hereinafter referred to as "the Commission") in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.); and,

**WHEREAS**, at the times and in the form and manner provided by law, the Executive Officer has given notice of the public hearing by the Commission on this matter; and,

**WHEREAS**, the Executive Officer has reviewed available information and prepared a report including her recommendations thereon, the filings and report and related information having been presented to and considered by this Commission; and,

**WHEREAS**, the public hearing by this Commission was called for June 20, 2018 at the time and place specified in the notice of public hearing; and,

**WHEREAS**, at the hearing, this Commission heard and received all oral and written support and opposition; the Commission considered all objections and evidence which were made, presented, or filed; and all persons present were given an opportunity to hear and be

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heard in respect to any matter relating to the application, in evidence presented at the hearing; and,

**WHEREAS**, a statutory exemption has been issued pursuant to the provisions of the California Environmental Quality Act (CEQA) indicating that the sphere of influence amendments, as modified, is statutory exempt from CEQA and such exemption was adopted by this Commission on June 20, 2018. The Commission directed its Executive Officer to file a Notice of Exemption within five working days with the San Bernardino County Clerk of the Board of Supervisors; and,

**WHEREAS**, based on presently existing evidence, facts, and circumstances filed with the Local Agency Formation Commission and considered by this Commission, it determines to modify the sphere of influence amendments for the Cities of Loma Linda and Colton to include the three parcels proposed for amendment as submitted by the applicant and LAFCO staff's proposed modification to include the properties located southerly of the applicants proposal area and north of the Riverside/San Bernardino County line generally located easterly of Reche Canyon Road including the neighborhood in and around Scotch Lane, as more specifically described on the attached Exhibits "A" and "A-1" to this resolution;

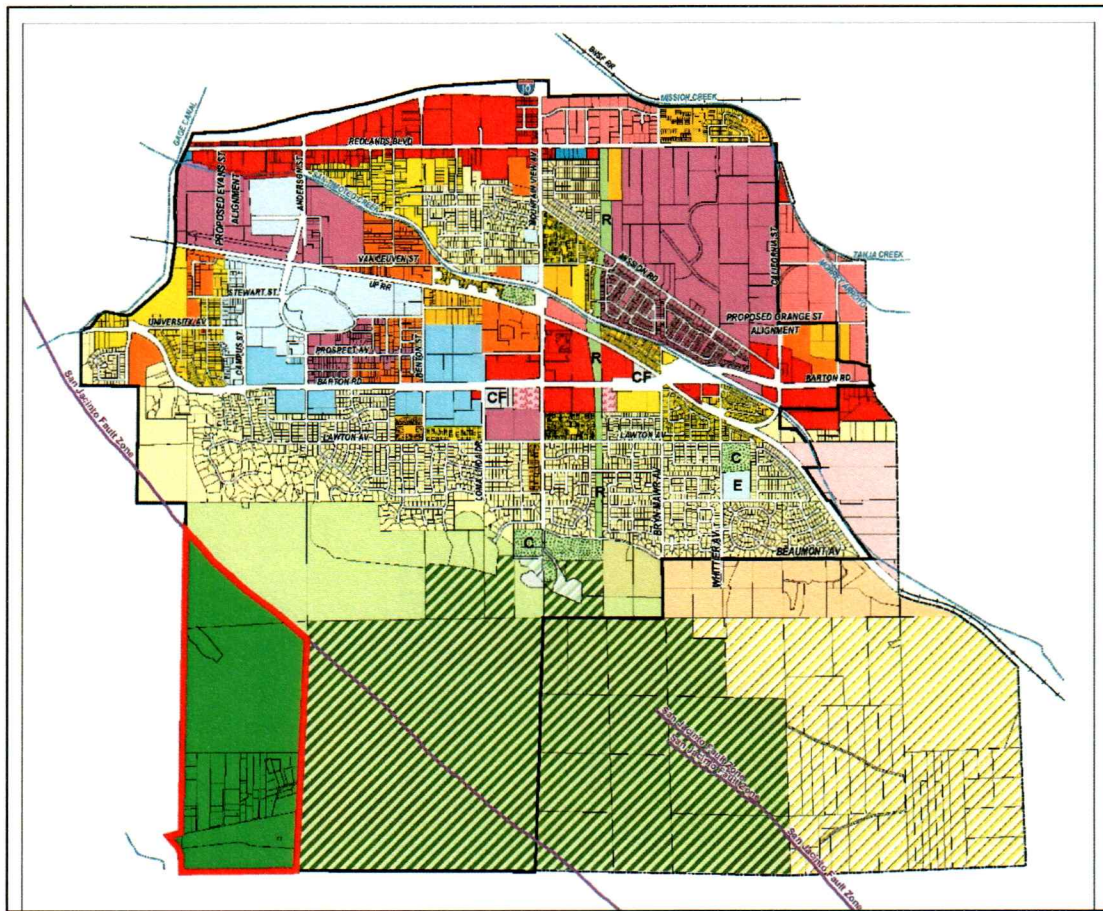
**WHEREAS**, the Commission determined that the proposed sphere of influence amendment, submitted under the provisions of Government Code Section 56428, does not require a service review; and,

**WHEREAS**, the following determinations are made in conformance with Government Code Section 56425 and local Commission policy:

**1. *The present and planned land uses in the area, including agricultural and open space lands***

The proposed sphere of influence amendment area is currently vacant. The proposed additional area is also generally vacant with a few single-family residences in and around Scotch Lane. The City's General Plan outlines guiding principles for managed growth as a result of Measure V, a referendum approved by its voters in 2006 that added a Growth Management Element to its General Plan. This element also includes provisions from other referendums approved by its voters—the 1996 Hillside Initiative and its 2008 Measure T—that outlines other growth management provisions including conservation and protection of open space, particularly within the City's southern hills. The City of Loma Linda designates both the proposed sphere of influence amendment area and the proposed additional area as South Hills (shown as a dark green color in the City of Loma Linda's Land Use Map below), a land use category assigned by the City to its southwestern hillside area intended for appropriate levels of development that take into consideration hillside design policies, the protection of sensitive environmental features, and the efficient provision of infrastructure, utilities, and public services.





Due to the topography of the land, access to the proposed sphere of influence amendment area or the proposed additional area from the City of Loma Linda is very limited. The entire South Hills is only accessible from the City through areas it has designated as either Hillside Conservation (green color) that restrict development to only the northern slopes facing the City of Loma Linda or South Hills Preservation (green color with hatching), which are lands owned by the City that only permit improvements and facilities consistent with the permanent protection of natural open space lands. Therefore, the City of Loma Linda is clearly unable to provide the necessary infrastructure, utilities, and/or public services to the proposed sphere of influence amendment area or the proposed additional area given the restrictions imposed on the adjacent land uses within the City of Loma Linda.

For the City of Colton, no specific land use(s) is/are proposed at this time. In fact, the purpose of the sphere of influence amendment is to allow the City of Colton the authority to undertake a general plan amendment process to address future development in the area.

## 2. *The present and probable need for public facilities and services in the area*

The City of Loma Linda currently has no facilities within and around the proposed sphere of influence amendment area or the proposed additional area. The residential

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development within and around Scotch Lane have individual wells and are all on septic systems. All the roads within the Scotch Lane neighborhood, including Scotch Lane itself, are all private roads—not maintained by the City.

As a municipality, the City is responsible for fire suppression and law enforcement within its boundaries. For fire protection and emergency medical response, the City has mutual aid agreement with the City of Colton for response to the area; however, the City of Colton is the first responder since its fire station is approximately 1.5 miles closer than the nearest City of Loma Linda fire station. For law enforcement, the City has chosen to contract with the County Sheriff that has a similar arrangement with the City of Colton since the City already patrols the area.

If the sphere of influence amendment is approved, the City of Colton would have the ability to plan to provide the full range of its services to the area.

**3. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide***

The City of Colton provides for a full range of municipal services within its jurisdiction. Overall, current facilities and services delivered within the City are adequate. Any future development within the area will require future evaluation of the City's ability to provide its services.

**4. *The existence of any social or economic communities of interest***

The proposed sphere of influence amendment area is considered part of the Reche Canyon community that is bisected by Reche Canyon Road. Reche Canyon Road is a thoroughfare that connects San Bernardino and Riverside Counties along the said canyon. The area is currently vacant but is adjacent to the Cambria neighborhood along Prado Lane and the Crystal Ridge neighborhood. The proposed additional area includes the neighborhood in and around Scotch Lane.

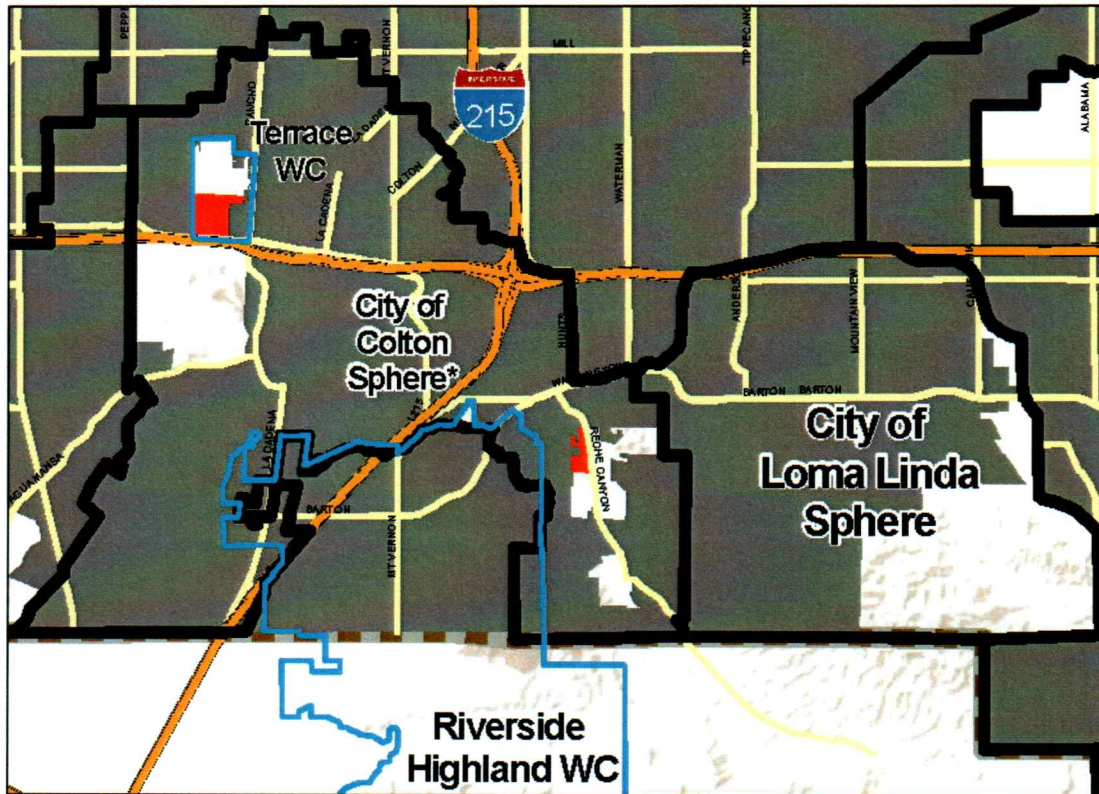
**5. *The Present and Probable Need for Public Facilities and Services of any Disadvantaged Unincorporated Communities Within the Existing Sphere of Influence for a City/Special District that Provides Public Facilities or Services Related to Sewers, Water, or Fire Protection***

Within the City of Loma Linda, there are no disadvantaged unincorporated communities ("DUCs"). However, within the City of Colton, there are two areas that are identified as DUCs within its existing sphere of influence. One is located within a portion of its unincorporated island located north of the I-10 Freeway and another within a portion of one of its islands located in the Reche Canyon area. The unincorporated island north of the I-10 Freeway currently receives water service primarily from Terrace Water Company. In some cases, the City has provided water and/or sewer service within said area through extra-territorial service agreements with a number of properties. Within its unincorporated island areas in Reche Canyon, the City also has provided water and/or sewer service through extra-territorial service agreements with a few properties. Within both DUCs, fire protection and emergency medical response is provided by the City of Colton by contract with the San Bernardino County Fire Protection District and its Valley



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Service Zone. The probable need for services within these two DUC areas will remain as development is anticipated to continue in these areas. The DUCs (depicted in red) are shown on the map below.



### 5. Additional Determinations

- As required by State Law, notice of the Commission's consideration of this issue has been advertised as required by State law through publication in *The Sun*, a newspaper of general circulation in the area. As required by State law, individual notification was provided to affected and interested agencies, County departments, and those individuals and agencies wishing mailed notice.
- LAFCO staff has also provided individual notices to landowners and registered voters within the sphere expansion area (totaling 94) and to landowners and registered voters surrounding the sphere expansion area within San Bernardino County (totaling 551) as well as to landowners and registered voters surrounding the sphere expansion area within Riverside County (totaling 153) in accordance with state law and adopted Commission policies. To date, no written comments in support or opposition have been received from landowners or voters regarding the consideration of this proposal.
- The map and legal description for these sphere of influence amendments, was certified by the County Surveyor's office.

**WHEREAS**, having reviewed and considered the determinations as outlined above,

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the Commission determines to reduce the sphere of influence for the City of Loma Linda and expand the sphere of influence for the City of Colton, as modified, encompassing approximately 372 acres.

**NOW, THEREFORE, BE IT RESOLVED** by the Local Agency Formation Commission for San Bernardino County, State of California, that this Commission shall consider the territory described in Exhibits "A" and "A-1" as removed from the sphere of influence for the City of Loma Linda and being added to the sphere of influence for the City of Colton, it being fully understood that the amendment of such spheres of influence is a policy declaration of this Commission based on existing facts and circumstances which, although not readily changed, may be subject to review and change in the event a future significant change of circumstances so warrants.

**BE IT FURTHER RESOLVED** that the Local Agency Formation Commission for San Bernardino County, State of California, does hereby determine that the property owner, University Realty, LLC, shall indemnify, defend, and hold harmless the Commission from any legal expense, legal action, or judgment arising out of the Commission's approval of this proposal, including any reimbursement of legal fees and costs incurred by the Commission.

**THIS ACTION APPROVED AND ADOPTED** by the Local Agency Formation Commission for San Bernardino County by the following vote:

**AYES: COMMISSIONERS:** Bagley, Cox, Curatalo, Lovingood, McCallon, Williams and Rutherford

**NOES: COMMISSIONERS:** None

**ABSENT: COMMISSIONERS:** Ramos (Rutherford voting in his stead)

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STATE OF CALIFORNIA                    )  
  ) ss.  
COUNTY OF SAN BERNARDINO )

I, KATHLEEN ROLLINGS-MCDONALD, Executive Officer of the Local Agency Formation Commission of the County of San Bernardino, California, do hereby certify this record to be a full, true, and correct copy of the action taken by said Commission by vote of the members present as the same appears in the Official Minutes of said Commission at its regular meeting of June 20, 2018.

**DATED:** July 7, 2018

  
\_\_\_\_\_  
**KATHLEEN ROLLINGS-MCDONALD**  
Executive Officer



**LAFCO 3225****Sphere of Influence Amendments for  
the City of Loma Linda (Reduction) and the City of Colton (Expansion)**

Being a portion of the southwest and the southeast Quarter of Section 2, Township 2 South, Range 4 west and a portion of the Southeast quarter of Section 35, Township 1 South, Range 4 West, San Bernardino Base and Meridian, in the County of San Bernardino, State of California, being more particular described as follows:

**Beginning** at the East quarter corner of said section 2;

1. Thence, S 02° 44' 24" W along the east line of said section 2, a distance of 2,644.41 feet more or less to the south east corner of said section 2. Said point being on the boundary between the County of San Bernardino and the County of Riverside.
2. Thence, S 89° 17' 40" W along the south line of said section 2 and along said county boundary a distance of 2,597.02 feet more or less, to the centerline of Reche Canyon Road as shown on that certain Record of Survey filed in the County of San Bernardino Recorder's office under Book 38 Page 66 of Record of Survey.;
3. Thence leaving said south line of section 2 and said county boundary N 01° 42' 03" W along said centerline of Reche Canyon Road 238.35 to the beginning of a tangent curve concave westerly having a central angle of 41° 19' 56" and a radius of 750.00 feet.
4. Thence northwesterly along said curve and along said centerline of Reche Canyon Road 541.04 feet.
5. Thence N 42° 58' 59" W 90.85 to the intersection of said centerline of Reche Canyon Road and the centerline of Scotch Lane;
6. Thence leaving said centerline of Reche Canyon Road N 80° 13' 05" E along said centerline of Scotch Lane 287.75 feet more or less to the west line of the southeast quarter of said section 2;
7. Thence leaving said centerline of Scotch Lane N 00° 51' 50 E along the said west line 1,812.48 feet more or less to the north east corner of the southeast quarter of said section 2;
8. Thence northerly along the west line of said northeast Quarter of Section 2, N 01°14'27" E a distance of 2789.02 feet to the southwest corner of said southeast Quarter of Section 35
9. Thence northerly along the west line of said southeast Quarter of Section 35, N 00 °51 '36" E, a distance of 1423.20 feet to an angle point therein;
10. Thence northerly continuing along said west line, N 00°51 '36" E, a distance of 423.37 feet to the northerly corner of Parcel B of Lot Line Adjustment No. 16-01, recorded December 06, 2016 as Instrument No. 2016-0532751, of Official Records of said County;

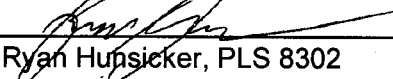
Thence the following six courses along the northeasterly line of Parcels B and C of said Lot Line Adjustment No. 16-01:

11. Thence southeasterly along said northeasterly line of Parcel B, leaving said west line, S 42°54'33" E, a distance of 716.50 feet;
12. Thence S 45°16'32" E, a distance of 452.19 feet;
13. Thence S 50°23'24" E, a distance of 355.45 feet;
14. Thence S 50°25'51" E, a distance of 328.41 feet;
15. Thence S 49°11'57" E, a distance of 1009.86 feet;
16. Thence S 47°09'02" E, a distance of 797.57 feet to the northeasterly corner of said Parcel C, said point also lying on the east line of said northeast Quarter of Section 2;
17. Thence Southerly along said east line, S 02°13'45" W, a distance of 2162.11 feet to the point of beginning;

Containing 372.8 Acres more or less



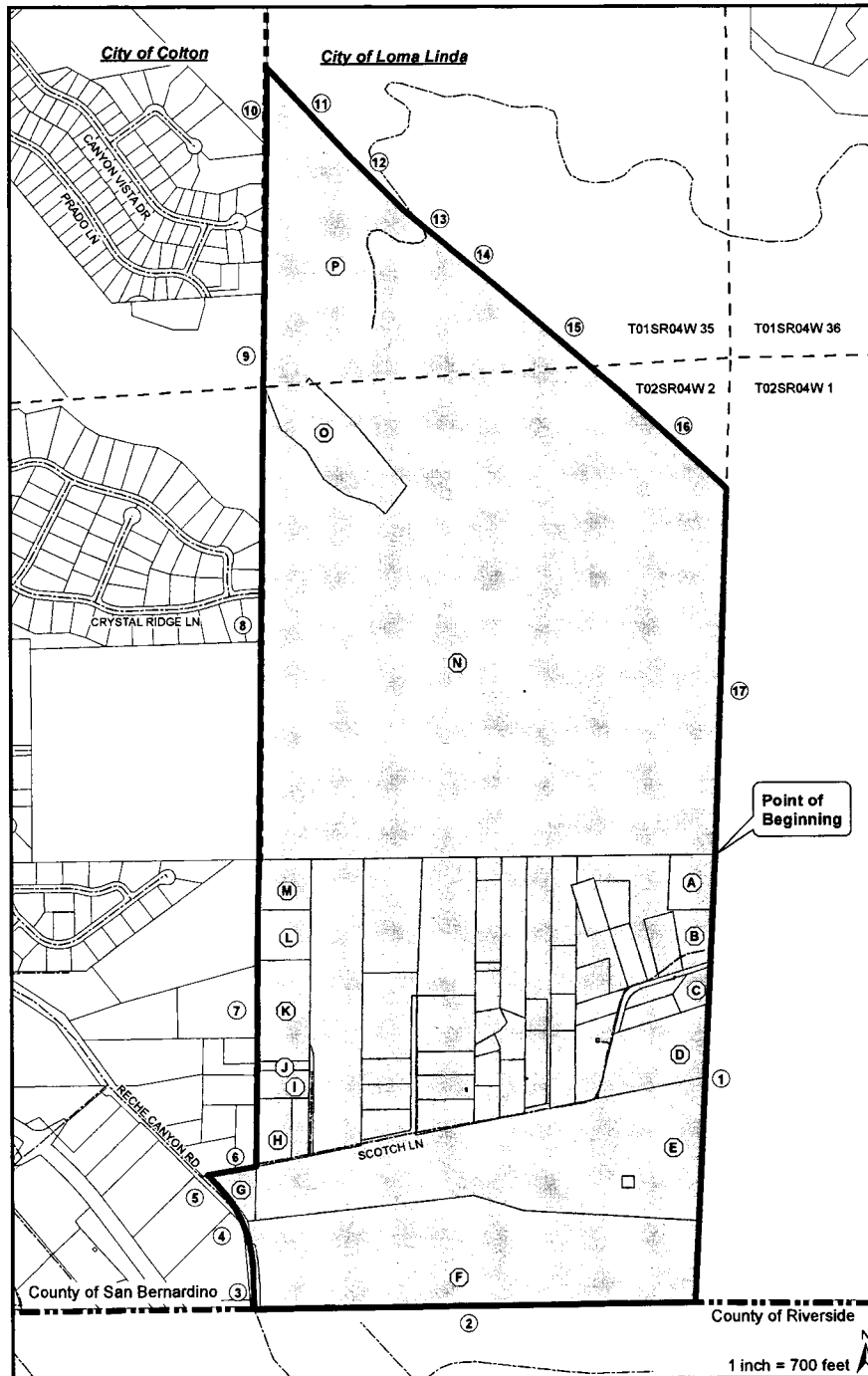
This legal description was prepared  
by me or under my direction.

by:  07/05/2018  
Ryan Hunsicker, PLS 8302 Date  
Deputy County Surveyor



## LAFCO 3225

**Sphere of Influence Amendments for  
the City of Loma Linda (Reduction) and the City of Colton (Expansion)**



# APN Table

A	028435128
B	028435129
C	028435174
D	028435148
E	028422115
F	028422113
G	028421118
H	028435106
I	028435105
J	028435104
K	028435103
L	028435102
M	028435101
N	028422118
O	028422116
P	028418127

# Line Table

Course Number	ANGLE	DISTANCE	RADIUS	DELTA	ARC LENGTH
1	S2-44-24W	2644.41			
2	S89-17-40W	2597.02			
3	N1-42-3W	238.35			
4	N22-22-1W		750	41-19-56	541.04
5	N42-58-59W	90.85			
6	N80-13-5E	287.75			
7	N0-51-50E	1812.48			
8	N01-14-27E	2789.02			
9	N00-51-36E	1423.20			
10	N00-51-57E	423.37			
11	S42-54-33E	716.50			
12	S45-16-32E	452.19			
13	S50-23-24E	355.45			
14	S50-25-51E	328.41			
15	S49-11-57E	1009.86			
16	S47-09-02E	797.57			
17	S02-13-45W	2162.11			

This plat map was prepared  
by me or under my direction.

by: Ryan Hunsicker Date 07/05/2018  
Deputy County Surveyor

**Legend**

- City Limit
- County Boundary
- Sections Lines
- Streets
- Parcels
- Sphere Expansion Area
- Acreage: 372.8 Acres more or less

**Agencies Affected:**

City of Colton  
City of Loma Linda  
Colton Water Department  
San Bernardino Sheriff  
Colton Fire Department  
Loma Linda Fire Department

